

**SURFACE TRANSPORTATION BOARD  
OFFICE OF ENVIRONMENTAL ANALYSIS**

EO-1721

KB

**FINAL ENVIRONMENTAL ASSESSMENT**

ENVIRONMENTAL RECOMMENDATIONS IN DOCKET NO. AB 55 (Sub-No. 706X)

**22 June 2011**

**ABANDONMENT TYPE**

The time for comments on the Environmental Assessment (EA) has expired in this:

☒ ( X ) Notice of Exemption    ☐ ( ) Petition for Exemption    ☐ ( ) Regulated Abandonment

☐ ( ) **NO NEW COMMENTS WERE RECEIVED**

☒ ( X ) **NEW COMMENTS WERE RECEIVED**

OEA served an Environmental Assessment (EA) for this proceeding on June 3, 2011, for public review and comment. In the EA, OEA recommended one environmental condition and concluded that the proposed action would not significantly impact the quality of the human environment.

**Comments on the EA**

OEA received one comment after issuance of the EA. In correspondence dated June 6, 2011, CSXT forwarded to the Board information from the New York State Office of Parks, Recreation and Historic Preservation (NY SHPO) indicating that, in its opinion, the proposed abandonment would have no effect upon cultural resources in or eligible for inclusion in the National Register of Historic Places (National Register).

Pursuant to the Section 106 regulations of the NHPA at 36 C.F.R. § 800.5(b), and following consultation with the NY SHPO and the public, OEA has determined that the proposed abandonment would not affect historic properties listed in or eligible for inclusion in the National Register. The documentation for this finding, as specified at 36 C.F.R. § 800.11(e), consists of the railroad's historic report, all relevant correspondence, and the June 3, 2011 EA which have been provided to the NY SHPO and made available to the public through posting on the Board's website at <http://www.stb.dot.gov>. **Accordingly, the Section 106 condition previously recommended by OEA in the EA should not be imposed by the Board.**

**Conclusions**

The EA comment period has ended and no conditions are recommended by OEA. OEA believes that the proposed action will not significantly affect the quality of the human environment.

OEA CONTACT:    Kenneth Blodgett (202-245-0305) *KHJ*

EI-18627  
KB

LAW OFFICES OF  
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June 6, 2011

Mr. Kenneth Blodgett  
Office of Environmental Analysis  
Surface Transportation Board  
395 E Street, S.W.  
Washington, D.C. 20423

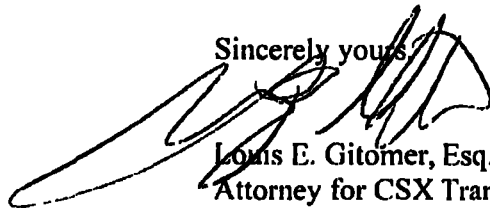
Re: **Docket No. AB-55 (Sub-No. 706X), CSX Transportation, Inc.—Abandonment  
Exemption—in Erie County, NY**

Dear Mr. Blodgett:

In response to the Environmental Assessment (the "EA") served by the Office of Environmental Analysis on June 3, 2011, in the above-entitled proceeding, CSX Transportation, Inc. ("CSXT") requests removal of the condition imposed in the EA. The attached correspondence from Ms. Ruth L. Pierpont, Acting Deputy Commissioner for Historic Preservation of the New York Office of Parks, Recreation and Historic Preservation (the "SHPO") states that "it is the SHPO's opinion that your project will have No Effect upon cultural resources in or eligible for inclusion in the National Register of Historic Places." The attached letter is the result of consultations between CSXT and the SHPO.

Thank you for your assistance. If you have any questions, please contact me.

Sincerely yours,



Louis E. Gitomer, Esq.  
Attorney for CSX Transportation, Inc.

Enclosure



**New York State Office of Parks,  
Recreation and Historic Preservation**

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

www.nysparks.com

**Andrew M. Cuomo**  
Governor

**Rose Harvey**  
Commissioner

April 27, 2011

Jo Ann Burroughs  
CSX  
500 Water St  
Jacksonville, Florida 32202

Re: STB  
Erie Running Track Segment Abandonment  
MP QCQ (Ferry St) to MP QCQ 5.58 (East  
Delevan Ave/BUFFALO, Erie County  
11PR02769

Dear Ms. Burroughs:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, it is the SHPO's opinion that your project will have No Effect upon cultural resources in or eligible for inclusion in the National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont  
Acting Deputy Commissioner for Historic Preservation